

MAXIM MAXIMOV, LLP

ATTORNEYS AT LAW

1600 AVE M • SECOND FLOOR
BROOKLYN • NEW YORK • 11230

EMAIL: M@MAXIMOV.LAW.COM
TELEPHONE: (718) 395-3459
FACSIMILE: (718) 408-9570

June 6, 2013

VIA ECF

Magistrate Judge Cheryl L. Pollak
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**RE: Index No. 1:12-cv-02723-SLT-CLP
Devorah Kacenberg v. Fidelis Recovery Solutions, Inc.**

Dear Honorable Judge Pollak:

I represent the Plaintiff in the above-referenced matter. On May 7, 2013, Your Honor directed the parties to provide a status report to Your Honor by June 7, 2013 (Docket No. 17).

The Class Action Complaint was filed on May 30, 2012. Although a Summons Returned Executed was filed on October 10, 2012, a letter motion requesting the issuance of a Summons and an extension of time to effectuate service of the Summons was filed. Your Honor granted the motion and ordered that the Summons be served by December 7, 2012. On November 20, 2012, the Clerk of the Court issued a Summons. The Summons was served on December 14, 2012 and the defendants answer was due January 4, 2013. As of today, the answer has not been filed. On April 8, 2013, we were finally able to speak with a representative at Fidelis Recovery Solutions, Inc. Dennis Cunningham stated that he would like to resolve this matter. We have attempted to reach Mr. Cunningham on several occasions, however, have been unsuccessful in doing so. Today, we were informed that Mr. Cunningham is no longer with Fidelis Recovery Solutions, Inc. We have been advised that this matter is now being handled by "someone else" and that we will receive a call from them within the next several days.

I respectfully requested that I be afforded the opportunity of continuing my efforts to communicate with the defendant in an effort to amicably resolve this matter. I ask Your Honor for the opportunity of filing a status report in thirty (30) days. Thank you for your time and attention to this matter.

Very truly yours,

/s/ Maxim Maximov

Maxim Maximov, Esq.

SO ORDERED.

/s/ CHERYL L. POLLAK
United States Magistrate Judge

6/6/13